



comment for the March 1 meeting: Sweet Springs Nature Preserve is a Sanctuary!

Marie Smith to: Kerry Brown

02/03/2013 08:05 PM

From: Marie Smith <mailmarie@charter.net>

To: Kerry Brown <KBrown@co.slo.ca.us>

Hi Kerry,

Could you please include this email in the comments for the March 1, 2013 hearing.

At the beginning of this project it was stated that there was a high likelihood that an EIR was going to be required. Here is the statement in the DRC2011-00013 application on page 2 of the Parcel Summary Report for Parcel #074-229-009:

yet, now in the announcement about the hearing (the underlines are mine) there is the statement:

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 27, 2012 for this project.

my comment about this: Relying on an initial study does not sound like it was done "in depth". I am concerned that does not reflect the significance of this property. Sweet Springs Nature Preserve East is part of an oasis, an established sanctuary located on the Pacific Flyway, adjacent to a National Estuary and in the middle of a busy community.

At this point in time protection of this established ecosystem is even more critical because of the unknown side effects on nature due to sudden major changes related to the LO sewer. Examples of the ongoing changes which force nature to move from one area to another in the flight/fight for survival are: daily air, noise and physical disturbances during the major construction activities, changes in landscapes including the removal of trees and bushes as we install our laterals and sewer facilities (i.e.: the major changes in the Broderson recharge area) and the changes in ground water levels. Ground water changes: previously the town was "watered" evenly from the leach fields of the septic systems. We are going to "shut off" that water and relocate it (after treatment) to a few locations. Because of the complex geological clay lens layers under Los Osos, we do not

know for sure how the water will flow. The impact of this action on the plants, trees, the Estuary Fringe and associated life-forms is unknown.

Even now, it is my understanding that an investigation is underway to figure out how to truly protect the birds, butterflies, insects, mammals, and other wildlife that presently are dependent on Sweet Springs. Each section of Sweet Springs is important and it is all inter-connected. I believe, to say "go ahead", before decisions are made about how to best protect Sweet Springs and the wildlife that lives there year-round or the birds, butterflies and insects that visit and depend on it during part of the year for sanctuary, e.g. survival, would be a mistake.

Even though the removal of the eucalyptus trees are no longer in the present application, the area under them and the trees themselves are part of the total picture. The 1,092 signatures against their removal reflect the awareness of many people that this area should not be treated in a piecemeal fashion: this is a truly amazing established ecosystem!

Please, everyone, respect and protect this special Sanctuary!

Marie Smith

Los Osos



Sweet Springs Pictures
Marie Smith to: Kerry Brown

02/03/2013 10:40 PM

From: Marie Smith <mailmarie@charter.net>
To: Kerry Brown <KBrown@co.slo.ca.us>

Dear Kerry,

For Audubon's current study I submitted the following emails. It occurred to me that I should send them to you for the Sweet Springs Nature Preserve East projects to demonstrate some of nature. I also included the removal of the Acacia to show what a piecemeal operation can do.

3 emails follow

Marie



2 pictures by others 2012 in Sweet Springs East
Marie Smith to: Kerry Brown

02/03/2013 10:40 PM

From: Marie Smith <mailmarie@charter.net>
To: Kerry Brown <KBrown@co.slo.ca.us>



photo by Erika Odencrants Peterson
two owls in Sweet Springs East 2012



photo by Ybi Van Ekeren
two deer in Sweet Springs East 2012



my pictures/experiences
Marie Smith to: Kerry Brown

02/03/2013 10:40 PM

From: Marie Smith <mailmarie@charter.net>
To: Kerry Brown <KBrown@co.slo.ca.us>

NO PICTURE OF BUT:

>I have seen birds fly out of the heavy grasses near the north area of Sweet Springs East 2012.

>I have seen and heard hundreds of birds in the tree tops in Sweet Springs East 2012.

>The following was part of my experience in the spring of 2012 when I visited Sweet Springs with Dennis Sheridan and saw an abundance of Monarch Butterflies in East Sweet Springs:

My awareness especially "perked up" this spring when I was talking to a visiting couple about the hundreds of bird sounds above us. They in particular were interested in a Rufus hummingbird which comes through our area and uses these trees for resting & the tree flower's nectar for energy before moving on. The woman pointed out the new plants that hummingbirds would eventually enjoy and then to the immense foliage in the tree tops - the size comparison brought home the reality: we cannot replace the trees - what we can do is grow the natives in the open areas to increase the variety of habitat available for them and other species. I have also enjoyed the increase in Monarch Butterflies this year (they were scarce the past few years when before that they were here in great numbers)

the following are photos by Marie Smith:



Bees like Eucalyptus trees too! This was taken of the eucalyptus tree on Ramona & Broderson in 2009, before the lower branches were trimmed. Bees, like the Monarchs, are also having a rough time surviving in the present day.



Picture of turtle was taken in 2002 in central sweet springs.

* I am including the picture above and the following pictures because, I believe, that one of the reasons that nature has had a rough time is the "cleaning up of the areas on the ground". The bushes, grasses, plants, and tree debris provide moisture, food and hiding places for the smaller critters, their eggs and babies. These hiding places help protect them from dogs, raccoons, other wildlife and shelter from the strong winds which come through this area.



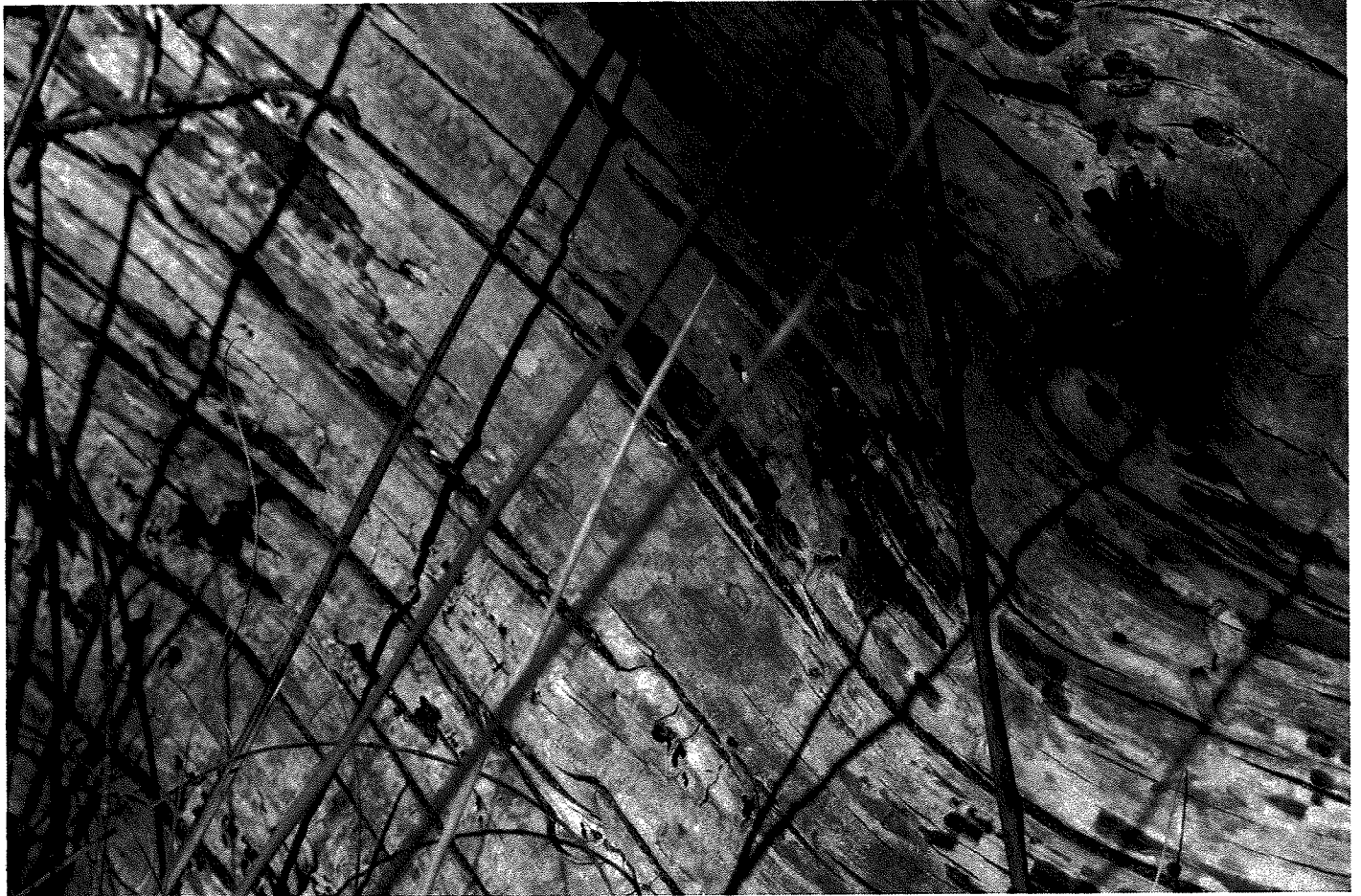
monarch on grass at Sweet Springs East 2012



swallowtail butterfly on grass at Sweet Springs East 2012



bee on grass at Sweet Springs East 2012



bees in log at Sweet Springs East 2012



honeycomb nest at Sweet Springs East 2012



I have a video of a squirrel in the very top of the eucalyptus tree on the east side, but it cannot be sent because it is too large of a file. at Sweet Springs East 2012



two deer at dusk at Sweet Springs East 2012



removal of Acacia 2012

Marie Smith to: Kerry Brown

02/03/2013 10:41 PM

From: Marie Smith <mailmarie@charter.net>
To: Kerry Brown <KBrown@co.slo.ca.us>

I am sending this, not to cause problems, but because it is part of the history:
This acacia, removed in 2012, was located in Sweet Springs Nature Preserve East.
The house in the background is on the corner of 3rd Street and Pismo Ave. The
acacia provided some screening for nature and people within Sweet Springs.
Deer, monarch butterflies and hummingbird were seen near here.

An experience at my home : I also had an acacia where the limb broke, it grew
sideways and it still thrived. A personal experience I had with mine: I saw a hummingbird
land on my long green leafed acacia, point his peak upward and "freeze" (sleep) there all night!

Before:



After:





behind the other fallen tree log



these shows cut leaves and branches to help identify it :





question:
Marie Smith to: Kerry Brown

02/03/2013 11:46 PM

From: Marie Smith <mailmarie@charter.net>
To: Kerry Brown <KBrown@co.slo.ca.us>

Hi Kerry,

I was just looking at the announcement you sent and I am confused:

the first line says "NOTICE OF TENTATIVE ACTION/PUBLIC HEARING " followed by information of when and what making it sound as though a public meeting is going to happen automatically yet 1/2 of the way down it says: "TO REQUEST A PUBLIC HEARING:" ...and then describes what a person needs to do to have it

Also I have sent you my comments, but I have been asked what is the deadline for comments?

Marie



FW: wildlife in Sweet Springs
John Haley to: Kbrown

02/04/2013 09:36 AM

From: "John Haley" <haleyje@charter.net>
To: <Kbrown@co.slo.ca.us>

Hello Kerry Brown,

Marie Smith suggested that I forward this e-mail, which I sent to Betty Winholtz, to you. Thanks for reading it.

John Haley

From: John Haley [mailto:haleyje@charter.net]
Sent: Saturday, February 02, 2013 11:53 AM
To: 'winholtz@sbcglobal.net'
Cc: 'Marie Smith'
Subject: wildlife in Sweet Springs

Hello Betty, Marie told me that you are asking for information about observations of wildlife in Sweet Springs.

My wife Betty and I have observed wildlife there for a little more than 18 years. We live right next to the preserve, which is just a block away.

When Mrs. Jan Corr owned what is now the eastern section of Sweet Springs she used to let my wife Betty, who is an artist, use that section for the painting of scenes. So we have seen the wildlife up close in both sections of the preserve. We have watched Monarch butterflies in the Eucalyptus trees in both sections. We have seen owls in the Eucalyptus trees and our friend Erica actually took a picture of them. We have seen deer on many occasions in both sections and I know exactly where two mule deer are living in a thick grove of Eucalyptus trees in the eastern section year round. We have watched a family of red foxes living in the Eucalyptus trees in the eastern section. Over the years, the female fox gave birth to kits twice. We have observed many raccoons among the Eucalyptus trees and watched them fish where the Sweet Springs creek enters the bay. We have seen confrontations between raccoons and coyotes, including one encounter between a mother coyote, with her two cubs, and a raccoon over a fish that the raccoon had just caught. The raccoon won out in the confrontation and saved his fish. We have watched red-shouldered hawks tend their babies in nests in the Eucalyptus trees. We have watched great blue herons in the Eucalyptus trees in both sections of the preserve and in the pools of Sweet Springs, as well as great white herons. We have seen the Eucalyptus trees over the smaller pool in Sweet Springs fill up with as many as 15 black-crowned night herons at a time, according to our count. Recently we have been seeing squirrels using the Eucalyptus trees of both sections of Sweet Springs.

If you need any more detailed information about these sightings let me know. John Haley and Betty Field-Haley



comment for the March 1 meeting: Sweet Springs Nature Preserve is a Sanctuary!

Marie Smith to: Kerry Brown

02/07/2013 04:49 PM

From: Marie Smith <mailmarie@charter.net>

To: Kerry Brown <KBrown@co.slo.ca.us>

Hi Kerry,

Could you please include this email in the comments for the March 1, 2013 hearing.

At the beginning of this project it was stated that there was a high likelihood that an EIR was going to be required. Here is the statement in the DRC2011-00013 application on page 2 of the Parcel Summary Report for Parcel #074-229-009:

2. PLEASE PROVIDE WATER AND SEWER WILL-SERVE LETTERS. A WILL-SERVE IS NEEDED, WE CANNOT PROCEED WITHOUT A V

**NOTE: OUR PRELIMINARY ASSESSMENT INDICATES THAT THERE ARE POTENTIALLY SIGNIFICANT IMPACTS ASSOCIATED WITH TH
SUBDIVISION INCLUDING BUT NOT LIMITED TO CULTURAL RESOURCES, ENDANGERED SPECIES, WETLANDS, DRAINAGE, AND TRA
IS A HIGH LIKELIHOOD THAT WE WILL BE REQUIRING AN ENVIRONMENTAL IMPACT REPORT FOR THIS APPLICATION.**

yet, now in the announcement about the hearing (the underlines are mine) there is the statement:

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on December 27, 2012 for this project.

my comment about this: Relying on an initial study does not sound like it was done "in depth". I am concerned that does not reflect the significance of this property. Sweet Springs Nature Preserve East is part of an oasis, an established sanctuary located on the Pacific Flyway, adjacent to a National Estuary and in the middle of a busy community.

At this point in time protection of this established ecosystem is even more critical because of the unknown side effects on nature due to sudden major changes related to the LO sewer. Examples of the ongoing changes which force nature to move from one area to another in the flight/fight for survival are: daily air, noise and physical disturbances during the major construction activities, changes in landscapes including the removal of trees and bushes as we install our laterals and sewer facilities (i.e.: the major changes in the Broderson recharge area) and the changes in ground water levels. Ground water changes: previously the town was "watered" evenly from the leach fields of the septic systems. We are going to "shut off" that water and relocate it (after treatment) to a few locations. Because of the complex geological clay lens layers under Los Osos, we do not

know for sure how the water will flow. The impact of this action on the plants, trees, the Estuary Fringe and associated life-forms is unknown.

Even now, it is my understanding that an investigation is underway to figure out how to truly protect the birds, butterflies, insects, mammals, and other wildlife that presently are dependent on Sweet Springs. Each section of Sweet Springs is important and it is all inter-connected. I believe, to say "go ahead", before decisions are made about how to best protect Sweet Springs and the wildlife that lives there year-round or the birds, butterflies and insects that visit and depend on it during part of the year for sanctuary, e.g. survival, would be a mistake.

Even though the removal of the eucalyptus trees are no longer in the present application, the area under them and the trees themselves are part of the total picture. The 1,092 signatures against their removal reflect the awareness of many people that this area should not be treated in a piecemeal fashion: this is a truly amazing established ecosystem!

Please, everyone, respect and protect this special Sanctuary!

Marie Smith

Los Osos

David Dubbink to: kbrown
Cc: "betty winholtz"

From: "David Dubbink" <dubbink@noisemanagement.org>
To: <kbrown@co.slo.ca.us>
Cc: "betty winholtz" <winholtz@sbcglobal.net>

Thanks for the citation. I was sorry to see the County sidestepping the Save the Park concerns. I'd hoped to see some conditions added that would deal with the issues raised and avoid the necessity for appeals.

Does Audubon's re-vegetation project have a County permit? It would appear to be a "project" under CEQA

(a) "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

Original Message
From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]
Sent: Wednesday, February 20, 2013 10:29 AM
To: David Dubbink
Cc: betty winholtz
Subject: RE: MCAS DRC2011-00013

David and Betty,

The agenda and staff report are now available:

http://slocounty.granicus.com/MetaViewer.php?meta_id=259305&view=&showpdf=1

Let me know if you have any problems with the link.

Kerry

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

From: "David Dubbink" <dubbink@noisemanagement.org>

To: <kbrown@co.slo.ca.us>

Date: 02/18/2013 11:54 AM

Subject: RE: MCAS DRC2011-00013

Kerry -

Where are the agenda and staff report made available? I looked on the County web page and couldn't find the items.

Thanks.

David D

David Dubbink Associates

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]

Sent: Wednesday, January 30, 2013 11:37 AM

To: David Dubbink

Subject: RE: MCAS DRC2011-00013

David,

The staff report will be available approximately 10 days before the hearing.

Kerry

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

From: "David Dubbink" <dubbink@noisemanagement.org>

To: <kbrown@co.slo.ca.us>

Date: 01/29/2013 03:39 PM

Subject: RE: MCAS DRC2011-00013

Kerry -

Thanks for the notice. When will the staff report be posted?

David D

David Dubbink Associates

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]

Sent: Tuesday, January 29, 2013 3:21 PM

To: David Dubbink

Subject: MCAS DRC2011-00013

David:

Attached find the notice for the above referenced project:

(See attached file: Notice_MCAS_March 1, 2013_PDH.pdf)

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

[Scanned @co.slo.ca.us]



FW: MCAS DRC2011-00013

David Dubbink to: kbrown

Cc: "betty winholtz"

02/22/2013 02:22 PM

From: "David Dubbink" <dubbink@noisemanagement.org>

To: <kbrown@co.slo.ca.us>

Cc: "betty winholtz" <winholtz@sbcglobal.net>

1 attachment



Project Description.doc

<<Project Description.doc>>

Kerry –

I looked at the Coastal Zone Land Use Ordinance to see if vegetation removal counts as a "project" requiring permit review.

The Coastal Land Use Ordinance, Section 23.03.042 (page 3-5), includes "removal of the natural ground cover" as requiring a minor use permit (or a development plan) if the area disturbed exceeds one acre.

I'm attaching Audubon's description of the Sweet Springs East program, downloaded from the Audubon website. The program involves, "removal of approximately 3.5 acres of non-native plants including veldt grass, ice plant, mustard, wild radish, fennel, African daisy, English ivy and more".

The staff report for the project states that, "... understory (non-native) removal and ongoing restoration activities at the site are not subject to County authorization ..."

Initially, I had accepted the argument that any land clearance that does not involve major trees was exempted from County oversight. However, because of its scale, Audubon's 3.5 acre land clearing operation does require County review under the Coastal Zone Land Use Ordinance. The area affected is likely greater than 3.5 acres since it appears that the area computation applies only to the grassland area and not to the understory. There is no special exemption of "non-native" understory in the Ordinance.

I'm sure you also know that, in other cases, the County has taken action against land owners who have cleared environmentally significant sites without permission. Sweet Springs East is certainly "environmentally significant" and is identified as an ESHA in the Estero Plan. I could find nothing in the County Codes that exempts removal of non-native plants from County Review. .

We request that the County enforce the site disturbance permitting requirements of the Coastal Zone Land Use Ordinance for the Sweet Springs site.

David Dubbink, Vice President

Save the Park!

dubbink@noisemanagement.com

From: David Dubbink
Sent: Wednesday, February 20, 2013 12:45 PM
To: 'kbrown@co.slo.ca.us'
Cc: 'betty winholtz'
Subject: RE: MCAS DRC2011-00013

Kerry -

Thanks for the citation. I was sorry to see the County sidestepping the Save the Park concerns. I'd hoped to see some conditions added that would deal with the issues raised and avoid the necessity for appeals.

I have a slightly different question.

Does Audubon's re-vegetation project have a County permit? It would appear to be a "project" under CEQA

15378. Project

(a) "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

David D

David Dubbink Associates

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]
Sent: Wednesday, February 20, 2013 10:29 AM
To: David Dubbink
Cc: betty winholtz
Subject: RE: MCAS DRC2011-00013

David and Betty,

The agenda and staff report are now available:

http://slocounty.granicus.com/MetaViewer.php?meta_id=259305&view=&showpdf=1

Let me know if you have any problems with the link.

Kerry

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

From: "David Dubbink" <dubbink@noisemanagement.org>

To: <kbrown@co.slo.ca.us>

Date: 02/18/2013 11:54 AM

Subject: RE: MCAS DRC2011-00013

Kerry -

Where are the agenda and staff report made available? I looked on the County web page and couldn't find the items.

Thanks.

David D

David Dubbink Associates

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]

Sent: Wednesday, January 30, 2013 11:37 AM

To: David Dubbink

Subject: RE: MCAS DRC2011-00013

David,

The staff report will be available approximately 10 days before the hearing.

Kerry

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

From: "David Dubbink" <dubbink@noisemanagement.org>

To: <kbrown@co.slo.ca.us>

Date: 01/29/2013 03:39 PM

Subject: RE: MCAS DRC2011-00013

Kerry -

Thanks for the notice. When will the staff report be posted?

David D

David Dubbink Associates

nnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnnn

864 Osos Street, Suite D

San Luis Obispo, California 93401 USA

Tel: 01 805 541 5325

Fax: 01 805 541 5326

dubbink@noisemanagement.com

-----Original Message-----

From: kbrown@co.slo.ca.us [mailto:kbrown@co.slo.ca.us]

Sent: Tuesday, January 29, 2013 3:21 PM

To: David Dubbink

Subject: MCAS DRC2011-00013

David:

Attached find the notice for the above referenced project:

(See attached file: Notice_MCAS_March 1, 2013_PDH.pdf)

Kerry Brown

Department of Planning and Building

County of San Luis Obispo

805-781-5713

kbrown@co.slo.ca.us

[Scanned @co.slo.ca.us]

[Scanned @co.slo.ca.us]

[Scanned @co.slo.ca.us]



The future of Sweet Springs East Preserve
Marie Smith to: LOCAC Milledge, Kerry Brown

02/22/2013 09:54 AM

From: Marie Smith <mailmarie@charter.net>
To: LOCAC Milledge <vickilocacchair@earthlink.net>, Kerry Brown <KBrown@co.slo.ca.us>

Dear Vicki, Please forward this to the LOCAC members. Thank you, Marie
Dear Kerry, Please include this email as a comment about the process from me. Thank you,
Marie

For Reference

1. the staff report that is now on-line for DCR2011-00013:
http://slocounty.granicus.com/MetaViewer.php?meta_id=259305&view=&showpdf=1
2. my email to Kerry Brown below.
3. history reference: initial project application:
http://www.slocounty.ca.gov/Assets/PL/referrals/coastal/DRC2011-00013_MORRO-COAST-AUDUBON-SOCIETY.pdf

Dear LOCAC,

As you know the Audubon Sweet Springs East Preserve project is having it's public hearing on March 1.

Thoughts for LOCAC's consideration concerning Sweet Springs East Preserve:

> NOTICE: As I wrote in the email to Kerry Brown below, I feel that the staff comments on page 7 did not reflect the true feelings of the people of Los Osos about the trees because it did not include the 1,092 petition signatures against the removal of the eucalyptus trees. I woke up this morning realizing that a big problem is that Los Osos was not represented by LOCAC.

details: Because the project proceeded through LOCAC without a decision on the trees, Los Osos was not represented by LOCAC in regards to the tree decision. I do not believe that it was done intentionally because some of the people at the LOCAC meeting also thought that LOCAC and Audubon were going to meet and discuss the tree issue on Nov 19, 2012 at the Audubon property. This Nov 19, 2012 gathering did become a opportunity for the public to see the property and hear Audubon's ideas and give input to Audubon, but was NOT a meeting of Audubon with LOCAC to talk about the trees.

In fact the tree issue was SO IMPORTANT to people that the LOCAC meetings were focused on it, and there wasn't time to address the other issues in depth. (the platform size alone, of 24 feet by 16 feet, could have been discussed from many perspectives: not only the aesthetics, i.e. the appearance from across the bay (especially if the eucalyptus tree is removed on the shore), but also because it reflects the number of people who will use Sweet Springs Preserve, affecting neighborhood, traffic and nature)

WHY IS THIS IMPORTANT?

> Even though the removal of the eucalyptus trees was withdrawn from the application, there remains the question: what about the future?

Removal of the trees can happen with an approval by the county alone, "outside of the larger public review process". Some people may see the trees as a barrier to a bay view, but other people see the trees as a living part of the Preserve. In fact I talked to one woman who bought her house because she wanted to see the eucalyptus trees from her home!

> Because Sweet Springs East Preserve was purchased with public funds for the preservation of

Nature and to be used by the Public, I feel that what happens is of great public consideration. It appears that changes to landscaping other than large tree removal do not need a permit. I know that some people have been concerned with the changes that have happened at Sweet Springs Central and wish to see Sweet Springs East preserved as an living historical site of natives and non-native plants.

> Another item which falls through the crack, As seen in the staff report, the two deer are not protected because they do not "fall under a species to protect list", even though Sweet Springs East is their home and they are enjoyed by many. ref to John Haley's letter in the staff report for this and another nature information.

> idea: maybe LOCAC would like to be involved in the Audubon's management update plan for all of Sweet Springs Nature Preserve

A FINAL COMMENT:

My involvement with the public in relation to Sweet Springs Preserve East has taught me what I am already aware of: life is extremely fast pace and people are having a hard time just surviving themselves. The "Review Process System" must protect places for them to CALM DOWN, and experience the PEACE they can find in nature.

Thank you for your consideration of the above.

Marie Smith

Los Osos

Begin forwarded message:

From: Marie Smith <mailmarie@charter.net>

Subject: 1,092 signatures!

Date: February 21, 2013 9:03:13 AM PST

To: Kerry Brown <KBrown@co.slo.ca.us>

Dear Kerry,

I noticed that my 2/7/13 email comment about 1,092 petition signatures against the removal of the trees at Sweet Springs East does not show up in the staff report summary addressing my emails or on page 7 of the staff report about correspondence. I believe that the signature information is significant in revealing how the people of Los Osos feel. Not only do the number of signatures reflect the importance of the trees to people, I feel that the petition words themselves were chosen to stress that the attitude is one of protection and working together.

My words were:

"Even though the removal of the eucalyptus trees are no longer in the present application, the area under them and the trees themselves are part of the total picture. The 1,092 signatures against their removal reflect the awareness of many people that this area should not be treated in a piecemeal fashion: this is a truly amazing established ecosystem!"

the petition words were:

We support the addition of native species to Sweet Springs East. At the same time, we support any of the Eucalyptus trees removed. We want both habitats to work together to have their role in nature.

(PLEASE PRINT)

page 7 of staff comments:

STAFF COMMENTS:

MCAS initially proposed removal of approximately 100 Eucalyptus trees at the site. This portion of the project was removed for further study regarding potential impacts to Monarch butterflies. Staff has received approximately 165 letters and postcards regarding this project. This correspondence mostly addressed the tree removal. The correspondence addressed concerns regarding impacts to birds and Monarch butterflies. Concerns about the aesthetic of the site were also outlined. Approximately 60% of the correspondence was in support of the tree removal. These letters were not included in this staff report, but are available in the file.

Please include this email in your report and update page 7!

Thank you,

Marie

Dane Jones

1501 4th St.

Los Osos, CA 93402

(805) 528-3554 (home) (805) 305-0628 (cell)

djones@calpoly.edu

RECEIVED

FEB 28 2013

PLANNING & BUILDING

February 26, 2013

Kerry Brown, Project Manager
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: County File Number: DRC2011-0013, Minor Use Permit from Morro Coast Audubon Society (MCAS)

I wish to voice my concerns regarding the MCAS application for a Minor Use Permit. MCAS has not been forthright in its plans for this site. Although MCAS has removed its request to remove over one hundred mature trees, the stated ultimate goal of the project, as given by the project manager, is to remove all non-native species from the site, include mature eucalyptus trees.

Since the major opposition to this plan originally concerned the removal of trees, insufficient discussion was held concerning other aspects of the permit, especially when presented at LOCAC meetings. This plan has several major problems:

- 1) The site has significant parking issues. Even now, when an event is held at Sweet Springs, the corner of 4th Street and Ramona becomes very dangerous primarily due to lack of parking space and the unusual layout of the intersection (streets do not meet at right angles and not all directions have to stop). Adding parking on 3rd Street would only add more problems.
- 2) Proposed signage. The signage proposed for the site is excessive and will significantly detract from the site
- 3) Viewing platform. The proposed viewing platform is very large and not in keeping with the current viewing sites on the original Sweet Springs property

Other problems include the addition of a large water tank (which has already been installed prior to the project's approval), design of foot paths, and destruction of current habitat and effects on current wildlife.

I urge you to consider carefully these concerns and insure MCAS is not able to move forward with its long-term plan of eradication of over one hundred mature trees on this site.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Dane Jones", with a stylized, cursive script.

Dane Jones



DRC2011-00013; MCAS sweet springs MUP/CDP for APN 074-229-009

Vanderwier, Julie to: Kerry Brown

02/27/2013 04:24 PM

Cc: "Ellen L. Carroll", Douglass Cooper

From: "Vanderwier, Julie" <julie_vanderwier@fws.gov>

To: Kerry Brown <kbrown@co.slo.ca.us>

Cc: "Ellen L. Carroll" <elcarroll@co.slo.ca.us>, Douglass Cooper <douglass_cooper@fws.gov>

History: This message has been forwarded.

kerry. i apologize for the seeming "last minute" nature of my previous comments on DRC2012-00028 and the subject DRC; however, we only received the agenda for the march planning department hearing in today's mail. [as we have discussed on other occasions, it would be helpful if we could receive the agenda at least a week prior to the hearing in which an item is to be discussed.]

from the discussion of the subject agenda item i see that the county is considering issuance of minor use and coastal development permits for public access improvements and a lookout at morro coast aubudon society's east sweet springs and trails to connect this portion of the preserve with the central portion. the service did not receive a copy of the draft mnd when it went out for public review despite the presence of morro shoulderband, s federally listed invertebrate species, being identified as a significant impact. the mitigation provided for the snail in the draft mnd consists of conducting ground-disturbing work during the dry season, pre-construction monitoring to be by a person in possession of a section 10(a)(1)(A) permit prior to ground-disturbing activities, installation of exclusion fencing, and implementation of a worker environmental education program. the mnd does not address what is proposed if a morro shoulderband snail is found within the work area. what we have recently learned about where morro shoulderband snails occur in the los osos area and their behavior leads us to believe that these measures will not be sufficient to avoid take. additionally, the surveys used in the mnd were conducted 4-5 years ago and, as such, are not considered to be valid for this project. we would like to work with the county to resolve issues related to the likely take of morro shoulderband snail associated with the county's proposed permit issuance; however, are not able to do so by the time this agenda item goes to hearing on march 1, 2013.

as such, i would respectfully request that the county delay certification of the mnd and approval of the associated minor use/coastal development permits until we can explore other options with you. thank you for your consideration of this request.

if you have any questions, please feel free to give me a call. --
julie

julie m. vanderwier, senior fish & wildlife biologist
u.s. fish & wildlife service, ventura fish & wildlife office
2493 portola road, suite b
ventura, california 93003
805.644.1766 ext. 222

March 4, 2013

Kerry Brown, Project Manager
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: County File Number: DRC2011-0013, Minor Use Permit from Morro Coast Audubon Society (MCAS)

I write to you from Bologna, Italy, to express my concerns regarding MCAS's application for a Minor Use Permit. As I am a life-long resident of Los Osos, the status of Sweet Springs is important to me even at a distance. My most significant concern is that there is not enough transparency in connection with the MCAS's project. There has been much local feedback opposing the MCAS's original plan to remove more than one hundred mature trees from the Sweet Springs site. While this part of the proposal has been removed from the current permit application, I am concerned this is still the unstated long-term goal of the MCAS.

If the MCAS commits in writing, either in the permit application itself or in another legally binding document, that it will not, even in the future, remove the 100+ mature trees, I would be willing to compromise and to accept its current proposals, even though I do not fully agree with them. However, I do not want the wool to be pulled over our eyes. If this is simply the first step in a series of changes the MCAS wants to make and if it still has plans to remove the eucalyptus trees and other non-native species from this site at a later date, I am very opposed.

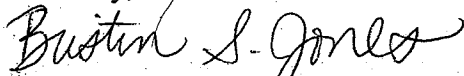
Though to a layperson the Audubon's purported goal of restoring native plants in East Sweet Springs may seem a noble one, it is not ecologically sound. During my studies as a student majoring in Environmental Ethics at Stanford University, I learned that modern environmental scientists reject the concepts of retroactive "conservation" and "preservation." While these terms are still in use by the general public, as goals these concepts have become obsolete as scientists have come to understand the complexity of ecological systems. To conserve or preserve presupposes a kind of untouched wilderness, static overtime. Instead, research has shown ecosystems evolve and change; they go through cycles and progressions much as a human-constructed city does over the centuries.

The MCAS's original goal of returning the said parcel of land to the plant and animal life that inhabited it in the early 1900s is arbitrary. While it is true that humans had a significant impact on the land by planting eucalyptus trees in California at the turn of the century, removing the trees, per the Audubon's original proposal, would not undo the human-caused damage that was done. Instead, it would cause more damage, wreaking havoc on the ecosystem and biodiversity that currently prospers at the Sweet Springs site.

Again, I encourage both the County and MCAS to be transparent on this issue and to make all documents regarding this application and possible future changes readily available to the public. We, the citizens of Los Osos, do not want the wool pulled over our eyes.

Thank you for your consideration.

Sincerely,



Bristin Scalzo Jones

Kerry Brown, Project Manager
San Luis Obispo County Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Re: County File Number: DRC2011-0013, Minor Use Permit from Morro Coast Audubon Society (MCAS)

As a resident of Los Osos I will suggest a few modifications to the Morro Coast Audubon Society's proposal for the East Sweet Springs site. I believe these adjustments would make the project more palatable to the community and lessen the tension and animosity between local residents and the society.

1. Structures now proposed for the corner of Ramona and Fourth Street should be minimized and consolidated with those at the entrance to the central preserve. This would reduce human activity at this dangerous blind corner. These structures include bike rack, community kiosk, interpretive panel (sign), and especially the two grantor/partners signs. These are distractions from nature. Two entrances are fine, but duplications of all of these structures is unsightly.
2. The proposed grantor/partner signs(36"X24" inches installed on double pedestals) could be replaced with a plaque embedded horizontally(flat) in the ground at the entrance as to not distract from nature. This would be classy and in keeping with having the least human intrusion. Another alternative would be to have the names carved in the benches. At Cal Poly donors are commemorated with tiles placed in walkways. Assuming grantors/donors are true friends of nature, they would not want to intrude upon nature in a blatant display.

(Note: The photo of the entrance to the central preserve that is posted on the MCAS website is not up to date. The entrance is now significantly more populated with signs. This, too, could be updated to reduce human mark on nature.

3. The proposed storage shed size should be reduced and the shed situated unobtrusively.
4. The water tank that is already positioned on the corner should be temporary. (How was this allowed prior to hearing?)
5. The elevated viewing platform must be significantly smaller. Its proposed size of 24' X 16' is massive and will be visible from across the bay and from the corner of Ramona and Fourth and from all throughout the walk to the platform. If nature is the focus, than the viewing platform should be insignificant in the view.
6. Signs (interpretive panels) should be eliminated or significantly reduced in size and number. ALL signs should close to ground level and angled so not to impede the vista.

Thank you for your consideration.

Susan S. Jones

sjones@calpoly.edu

1501 Fourth Street , Los Osos, CA 93402

SAVE THE PARK
405 Acacia Street
Morro Bay, CA 93442

March 6, 2013

Environmental Division
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

**Subject: Proposed Negative Declaration Morro Bay Audubon Society;
MUP; Tree Permit DRC2011-00013**

The Audubon Chapter project is not being given appropriate consideration under CEQA and the Coastal Zone Land Use Ordinance.

The staff response to our comments on the Audubon proposals suggests that not all project components are open to review. The Audubon Chapter is a private entity so the theory is that only project components that require County permits are subject to review.

It is well known that projects and plans undertaken by public agencies require CEQA review. So do private projects when they require discretionary approvals. But there's a third category of project definition that directly applies to the Sweet Springs activities. This is;

"An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies" (Section 15378(2), California Public Resource Code).

Since the Audubon project (including clearance of ground cover) is supported by and dependent on public agency contributions, the work is a "project" under CEQA. It is in its own category where *no distinction is made as to whether or not project components require issuance of a County permit*. County public works projects do not require permit approvals but, as with the category of project appropriate to the Audubon proposal, every element of a project requires CEQA consideration.

Even if the Audubon program were not specifically defined as a project under CEQA, the land clearance component requires review under the Coastal Zone Land Use Ordinance.

Section 23.03.042 of the ordinance (page 3-5), includes *"removal of the natural ground cover"* as an action requiring a minor use permit (or a development plan) if the area disturbed exceeds one acre. Audubon's description of the Sweet Springs East program, (downloaded from the Audubon website) involves;

"removal of approximately 3.5 acres of non-native plants including veldt grass, ice plant, mustard, wild radish, fennel, African daisy, English ivy and more".

~~Q24~~ While it might be argued that non-native plants are somehow not worthy of protection, there is nothing in the County's plans supporting this argument. Whatever our personal preferences, non-native vegetation is habitat to many valued species such as Monarch Butterflies. The Sweet Springs area is defined as an Environmentally Sensitive Habitat Area (ESHA) on the Estero Plan maps and the Coastal Commission has quite specifically included non-native vegetation as qualifying as ESHA in other locations.

Additionally, it is inappropriate to segment CEQA review and *defer* project components to future rounds of environmental review. The Audubon Chapter's program for Sweet Springs East includes 15 elements including the walkways, viewing platform, the replanting, and the removal of juvenile and mature trees. A CEQA study is supposed to consider the "whole of an action" and what is being considered by the County is only a part of a well-defined "whole".

Our concern for the selective omission of project components applies not only to future actions but also to current and recent activities at the site. For example, a water tank included in the listing of project components has already been installed. The removal of ground cover has taken place on the southeast portion of the site.

In summary, it is evident that the entire Audubon plan for Sweet Springs East needs to have County review, not just the fragment of the project presented here. It is not a private project that is only subject to standard permit requirements. The project is supported by public funding and, as such, is in a special category of projects requiring review under CEQA. Additionally and separately, the scale of ground cover removal requires permitting under the Coastal Zone Land Use Ordinance. Finally, CEQA demands that reviewing agencies not allow the piecemealing of projects over time. Piecemealing is conspicuously being done here, with some components already on site and the most contentious components deferred to the future.

Everyone is supportive of improved public access to the Sweet Springs site and to the protection and enhancement of habitat. However, approval of only a subset of project components is inappropriate. This is inconsistent with CEQA requirements, with the Local Coastal Plan and with County code. Moreover, piecemeal planning is contrary to established natural resource management principles. The County's environmental criteria specifically endorse a comprehensive approach instead of single species protection. Any resource improvement plan for Sweet Springs should be grounded in a *comprehensive* analysis of resources. Given the long lasting impacts of the Audubon project, it is essential that plans be carefully reviewed by technical specialists and by the Los Osos community.



David Dubbink, PhD., AICP
Vice-president, Save the Park!



Re: DRC2011-00013; Sweet Springs East Preserve

Marie Smith to: Julie Vanderwier, Kerry Brown

Cc: Jen

03/06/2013 09:27 PM

From: Marie Smith <mailmarie@charter.net>
To: Julie Vanderwier <julie_vanderwier@fws.gov>, Kerry Brown <KBrown@co.slo.ca.us>
Cc: Jen <jmoonjia@gmail.com>

Dear Kerry, Since John is now very busy and has added new information about the red fox, I am requesting for him and myself: please include this as part of the public comment.

Thank you, Marie

Dear Julie,

Thank you for answering my email quickly. I know that you are following the "rules of the book", but I am concerned with a review process that doesn't recognize that even though a species may not be on the endangered list, it may be dependent on the area where it exists. A good example is Sweet Springs East Preserve. I have indicated in the email I sent you that if species are forced to move from Sweet Springs they may have no place to go. (It is located in the middle of a busy peopled area which is in much turmoil due to the installation of a sewer, development, and natural premature death, i.e. pine pitch canker). The deer I talked about are no longer able to go to the area by the library, Sunset Terrace or Broderson due to development. People really enjoy seeing them at SP. I was hoping, with your expertise, that you could suggest a plan to accommodate them or just give Audubon ideas. (talk to John if necessary about their habits and hiding spots.) I understood before I asked that they were not on the endangered list, but you might say that they are endangered at Sweet Springs!

One of the main reasons I am writing you now is your comment on the red fox not being native.

John has written me with several bits of information about the red fox and has given me permission to pass it forward to you:

"The red fox is native to almost all of the countries of the world, including our country. The only type of fox that Betty and I have seen in Sweet Springs over the past 18 years consists of male and female adult red foxes and their offspring."

"For example, Ben Sacks, a biology professor at the University of California Davis, proved that genetic testing shows that the Sacramento Valley red fox, which "is identical to the red fox" in central California and the central coast in appearance, is "California through-and-through". That is, it is NATIVE to California."

"The red fox has the greatest world-wide distribution of any carnivore. I did research on it years ago. The University of California, Davis, has done a lot of research on the red fox and that university has some of the leading animal experts in the country."

my thoughts: We need to recognize that all species are important, even natives that are not on the endangered list or guess what? non-natives! By arguing whether something is native or not deludes what is important: Do we destroy something that exists in favor of creating a habitat for something that we hope will use it? i.e. Has the shoulderband snail adopted to the

non-native ice-plant and grasses already? Will he do better left alone as much as possible or being moved to a sterile environment (as new plantings are) An aside: I found it strange that the MSS in Sweet Springs East Preserve was being moved from non-native grasses to a native plant surrounded by non-native grasses which are scheduled to be removed.

Because SP is already a mixture of natives and non-natives, it seems that to continue in this vein may be best because much depends upon it. As we all know there are large open areas at SP where native plants have been and can be planted to supplement the non-native and native plants and trees which already exist.

I hope that we can observe and plan for the whole of Sweet Springs in relation to its surroundings and accommodate what is living there or dependent upon it because of its location on the Pacific Flyway adjacent to a National Estuary.

Thank you for considering these thoughts, Marie Smith

On Mar 6, 2013, at 9:52 AM, "Vanderwier, Julie" <julie_vanderwier@fws.gov> wrote: marie. thank your for your email. i am currently working with kerry brown (county of slo department of planning and building) and holly sletteland (morro coast audubon society; MCAS) to ensure that the proposed morro coast audubon society's (MCAS) project is implemented in compliance with the federal endangered species and migratory bird treaty acts, particularly the avoidance and minimization of effects to morro shoulderband snail. the work to be done will be in conformance with those goals identified in the sweet springs preserve recovery action plan. as you are likely aware, MCAS completed this plan in june 2011. its intent is to guide future restoration efforts in coastal scrub habitat on the preserve to enhance its biological value and function for constituent species. while we do not have jurisdiction regarding species not covered by the previously referenced acts, we believe that efforts identified in this plan (as implemented through projects like this) will directly benefit not only the federally endangered morro shoulderband snail but other species that are dependent upon native habitats found on the preserve.

MCAS has long been in partnership with a diversity of groups to foster community understanding of coastal habitats and the species that call these areas their home. since the preserve was created in 1981, MCAS has organized and sponsored countless community habitat restoration efforts on the preserve by working collaboratively with scientists, educators, conservation organizations, and the public. while i can appreciate your concern for the animals that are found at the preserve, i do not see how the successful completion of this effort would adversely affect species such as raccoon, fox (that i hope is actually represented by our native grey fox and not red fox, a species not

native to our area), deer, coyotes, or raptors. as part of DRC2011-00013, there is no eucalyptus removal component. as part of any future projects, the potential for adverse effects to species, inclusive of monarchs, nesting raptors and other bird species, will be evaluated and you can be sure that for those species under our jurisdiction we will ensure compliance with all applicable federal laws. i am confident that my colleagues at the california department of fish and wildlife and county will similarly ensure such compliance with their laws, ordinances, and policies.

as i stated earlier, i am currently working with the county and MCAS. as you undoubtedly know, the county continued its planning department hearing for this project to march 15; it is our goal to come to a mutually acceptable resolution by that date. -- julie

julie m. vanderwier, senior fish & wildlife biologist
u.s. fish & wildlife service, ventura fish & wildlife office
2493 portola road, suite b
ventura, california 93003
805.644.1766 ext. 222

everything is connected to everything else. everything must go somewhere. nature knows best. there is no such thing as a free lunch. -- barry commoner

On Tue, Mar 5, 2013 at 11:31 PM, Marie Smith <mailmarie@charter.net> wrote:

Dear Julie,

It has come to my attention that you are going to review Sweet Springs East Preserve in Los Osos in regards to the Morro Shoulderband Snail for the Audubon project DRC2011-00013. As you know, Sweet Springs Nature Preserve East is part of an oasis, an established sanctuary located on the Pacific Flyway, adjacent to a National Estuary and in the middle of a busy community. Because of the major changes which are now occurring in LO due to development, natural causes such as the pine pitch canker, and installation of a sewer this area is even more important.

Examples of the ongoing changes which force nature to move from one area to another in the flight/fight for survival are: daily air, noise and physical disturbances during the major construction activities, changes in landscapes including the removal of trees and bushes as we install our laterals and sewer facilities and the changes in ground water levels. Ground water changes which will affect plants, trees and the Estuary fringe: previously the town was "watered" evenly from the leach fields of the septic systems. We are going to "shut off" that water and relocate it (after treatment) to a few locations. Because of the complex geological clay lens layers under Los Osos, we do not know for sure how the water will flow. The impact of these actions on the plants, trees, the Estuary Fringe and associated life-forms is unknown. I believe that this is not the time to put more stress on nature who is trying to survive. Sweet Springs East Preserve is a complex, interwoven established ecosystem which needs protection.

* I am writing this email because I hope that you will give advice on protecting, not only the

Morro Shoulderband Snail, but other species, from small to as large as the two deer who have made Sweet Springs East their home and who give joy to those who witness them. They are rare in this part of Los Osos.

I submitted a comment about the deer to the county:

Here is the county's answer to my letter:

The second subject of the letter concerns the deer that live at Sweet Springs East. Ms. Smith questions whether U.S. Fish and Wildlife or California Department of Fish and Game (now Wildlife) has been contacted regarding the best way to protect the deer.

Staff has heard about the deer that live at the site. Deer are not a protected species and are common in many urban areas. U.S. Fish and Wildlife or California Department of Fish and Game (now Wildlife) have not been contacted, as the deer are not listed species.

here is an email from a friend who lives next to Sweet Springs East Preserve
from John Haley <haleyje@charter.net>

My wife Betty and I have observed wildlife there for a little more than 18 years. We live right next to the preserve, which is just a block away.

When Mrs. Jan Corr owned what is now the eastern section of Sweet Springs she used to let my wife Betty, who is an artist, use that section for the painting of scenes. So we have seen the wildlife up close in both sections of the preserve. We have watched Monarch butterflies in the Eucalyptus trees in both sections. We have seen owls in the Eucalyptus trees and our friend Erica actually took a picture of them. We have seen deer on many occasions in both sections and I know exactly where two mule deer are living in a thick grove of Eucalyptus trees in the eastern section year round. We have watched a family of red foxes living in the Eucalyptus trees in the eastern section. Over the years, the female fox gave birth to kits twice. We have observed many raccoons among the Eucalyptus trees and watched them fish where the Sweet Springs creek enters the bay. We have seen confrontations between raccoons and coyotes, including one encounter between a mother coyote, with her two cubs, and a raccoon over a fish that the raccoon had just caught. The raccoon won out in the confrontation and saved his fish. We have watched red-shouldered hawks tend their babies in nests in the Eucalyptus trees. We have watched great blue herons in the Eucalyptus trees in both sections of the preserve and in the pools of Sweet Springs, as well as great white herons. We have seen the Eucalyptus trees over the smaller pool in Sweet Springs fill up with as many as 15 black-crowned night herons at a time, according to our count. Recently we have been seeing squirrels using the Eucalyptus trees of both sections of Sweet Springs.

If you need any more detailed information about these sightings let me know. John Haley and Betty Field-Haley

We are fortunate to have local people who know first hand what creatures live here and who are willing to work with biological experts in keeping this a real PRESERVE!

Thank you in advance for your efforts in protecting these deer and the other creatures who make Sweet Springs East Preserve their home,

Marie Smith

photo by Ybi Van Ekeren
two deer in Sweet Springs East 2012

picture by me of another rare sighting:
swallowtail butterfly on grass at Sweet Springs East 2012



Comment for hearing on March 15, 2013

Carol Baker to: kbrown

03/14/2013 05:14 PM

From: "Carol Baker" <carolbaker@charter.net>

To: <kbrown@co.slo.ca.us>

History: This message has been forwarded.

March 13, 2013

Kerry Brown

Dear Ms Brown,

I am very concerned about the future of our Sweet Springs Preserve East and Central.

Although the meeting on March 15th is about Sweet Springs East, I feel it is important to share my feelings about this project because actually although maybe it is not stated, Audubon is working on both parts of this habitat and have been for quite some time..

There is so much undergrowth and small trees being removed from the central part that it is now looking like a neighborhood garden that is tended to by a weekly gardner...Its been sifted, raked and tended to so that anything that has been habitat for this area cannot exist anymore. There is no home left for the critters and any vegetation its very different and no longer can be called a preserve., but a garden with some tall Eucalyptus trees that I am worried can be taken at any time.. The trees that have not been cut down are so manicured and more man created than ever. Its very important to keep the Monarch trees not only for beauty but for shade. and for Habitat for our Monarcsh Butterflies..

A great example of what habitat at the Central part of Sweet Springs use to be like can be seen at the Pismo Beach Monarch Butterfly Preserve... There all the habitat has been left undisturbed and it has such a wonderful natural, feeling.. The preserve itself is amazing, The Monarch Butterflies kbrow are abundant.. You can even see them driving by in the car... It has such a peaceful feeling and people so many people come from all over, enjoying it, taking pictures and just learning all about the area... You would have to be there to see it..

It is also very important that Sweet Springs East, and Sweet Springs Central look differently.. I understand Audubon's anxiousness to create a beautiful natural biotonical garden with native plants and also the importance of keeping all the high canopy trees at the same time... Its great that they are creating places so people with disabilities can enjoy the east side, and also important to know that one of the disabilities they may want to review are people that need shade due to sun sensitivity or cancer...

Thank you for your consideration

Very Sincerely,

Mr and Mrs Baker
240 Travis Drive
Los Osos, Calif 93402

**Policy can affect nature:
Sweet Springs East Nature Preserve**

3/15/13

My concern is how the Permit Approval Process focuses only on what is actually being constructed at the time and protects only the lifeforms that are on an endangered list. This leaves most lower habitats and lifeforms vulnerable to destruction.

Sweet Springs East, a public Preserve, is on the Pacific Flyway, adjacent to a National Estuary. This established oasis is located in a populated area where there is much ongoing turmoil for nature due to the installation of a sewer, landscape changes, development, and the recent premature death of trees and vegetation due to natural causes such as the pine pitch canker and the myoporum thrip. Nature must have a place to go to survive! We can use the deer as an example. Deer who used to be seen near the library, at Sunset Terrace and by Broderson, vanished due to development and the cutting of eucalyptus trees. Two deer seek protection in Sweet Springs East Preserve and hide in the vegetation under the eucalyptus trees. Deer are not a protected species, even though they are rare in this particular area. This area can be cleared due to the lack of requirements for the clearing of resources under 8" in diameter at waist height. The law, originally made to protect trees, has since been used as a go ahead to cut anything smaller! The present day use of this law also exposes buildings and cars to people within a nature preserve and depletes the nature that they enjoy. A bird surprised me when it flew out of the tall grasses while I was listening to the bird sounds around me coming from the high canopy trees. Butterflies use the low lying grasses and plants. I cannot begin to imagine all of the miniature to the microscopic life that exists in this now established, interwoven ecosystem of native and non-native plants. Sweet Springs East Preserve could be designated as an living historical site of natives and non-native plants, keeping this wilderness haven not only for the survival of nature, but for those who use this wonderful preserve as a fountain of peace. By just following the letter of the law we may miss what we need most: guidelines based on how nature is dependent upon a particular location for survival today. We have already replaced expansive veldt grass with many native plants. These native plants need to grow in order to supplement what is already established under the trees and what is now provided by the expansive habitat in the upper area of the trees. Nature is complex and ever evolving; and when we create, we also destroy. Caution is needed because, in the final analysis, we really do not know what the real outcome will be, which lifeforms will survive in our changing world.

Thank you for considering my thoughts,

Marie Smith, Los Osos 31 year resident

Sweet Springs East. March 15, 2013

The last stand of natural Eucalyptus that exists un-touched along the Los Osos Bay shoreline is at this location.

The local and visitor public outcry and over 1000 signatures should suggest that preservation of this ancient habitat is important to the community. These are mostly federal and state grants of taxpayer monies for funding of this project.

Audubon has focused on habitat restoration without considering the importance of a 90 year habitat created by Eucalyptus, Cypress, companion plants on their new acquisition called Sweet Springs East.

Coastal Dune Scrub habitat restoration is occurring at the TriW middle of town site, as well as on the Broderson property, fully funded. The Los Osos greenbelt has experienced ongoing habitat restoration. The coastal dunes have much protection and funding for restoration. The Audubon planting relates to future possible bird colonies, if the restoration works.

The last stand of historic Euc and Cypress habitat, connecting with natural grassland and the willow wetlands is the PERFECT Audubon project. The plantings down below, tho very unnaturally set up in rows, appear to be thriving. The Eucs and Cypress offer a protection from wind & support a moisture capture, all benefits to the native botanical garden. Showing the interface with the three natural habitats is award getting. But not what's proposed surprisingly.

Both the Douglas Preserve (35 clifftop acres in Santa Barbara) and the Goleta Monarch Preserve have included ancient Eucalyptus forests as major habitat protection in their plans to provide for existing and future native & sea birds, hawks, owls, Bats, Migrating bird colonies, Monarch butterflys. It is a joy to walk through the diversity of winged and legged creatures that share their world with us in these preserves. They were funded by the same agencies as Audubon.

The direction that this Audubon group has taken is disturbing in the lack of concern for the diversity of life and habitat that currently exists. By thinning a tree's underbrush, you destroy all habitat for a range of native species. Monarch's hate a draft.

Native plant restoration is appropriate in the entry area but any major destruction to the existing Euc/Cypress forest is questionable, Wetlands habitat, and coastal grasses (proposed view platform) should remain undisturbed.

Gaining the 3rd street access should have been a part of the acquisition agreement (\$2 Million) and remains a crucial part of the community wish.

PLANNING DEPARTMENT HEARINGS
We ask that Audubon protect the existing habitats and focus our monies on acquiring the entry from 3rd Street. It is a 'prescriptive rights' coastal access that could be mediated with the property owner, or a simple lawsuit. The money allocated to destroy the trees could be put to better use.

The 'trails' are very unnatural, could they be made more contoured with the landscape and allowing more view of the areas of interest?

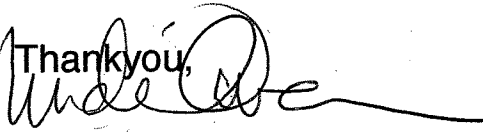
1 handicapped parking space, should be 2.

Water tank wasn't permitted. Asking for forgiveness is a deviation from procedure and cannot be just 'forgiven'. Knowingly planting before approval and importing a water source before approval are both violations of their permit application.

The interpretive signs should be discussed thru LOCAC so that the Community can opine. The current sign is misinforming. This is not a private enterprise and the proposed plan is funded by Federal and State grants.

Thankyou for any improvements to the plan submitted to you and hopefully you will defend protection of the existing habitats and ask that any such proposals be dropped from this and any future permit application until a CEQA analysis is reviewed to understand the impact.

Audubon can legally thin and trim the ancient Eucs. They can also remove all the 5 yr old Cypress that now form a sub forest. These actions end protection of the current habitat. A strong approval for their full protection would go a long way at this permit discussion. Audubon actions at Binscarth and Doris/Los Osos have been devastating and went against all public discussion and promises.

Thankyou,

Linde Owen

23 yr resident, Los Osos
528-6403

AGENDA ITEM: 4
DATE: 3/15/13**Policy can affect nature:
Sweet Springs East Nature Preserve****DO NOT REMOVE FROM FILE**
3/15/13

My concern is how the Permit Approval Process focuses only on what is actually being constructed at the time and protects only the lifeforms that are on an endangered list. This leaves most lower habitats and lifeforms vulnerable to destruction.

Sweet Springs East, a public Preserve, is on the Pacific Flyway, adjacent to a National Estuary. This established oasis is located in a populated area where there is much ongoing turmoil for nature due to the installation of a sewer, landscape changes, development, and the recent premature death of trees and vegetation due to natural causes such as the pine pitch canker and the myoporum thrip. Nature must have a place to go to survive! We can use the deer as an example. Deer who used to be seen near the library, at Sunset Terrace and by Broderson, vanished due to development and the cutting of eucalyptus trees. Two deer seek protection in Sweet Springs East Preserve and hide in the vegetation under the eucalyptus trees. Deer are not a protected species, even though they are rare in this particular area. This area can be cleared due to the lack of requirements for the clearing of resources under 8" in diameter at waist height. The law, originally made to protect trees, has since been used as a go ahead to cut anything smaller! The present day use of this law also exposes buildings and cars to people within a nature preserve and depletes the nature that they enjoy. A bird surprised me when it flew out of the tall grasses while I was listening to the bird sounds around me coming from the high canopy trees. Butterflies use the low lying grasses and plants. I cannot begin to imagine all of the miniature to the microscopic life that exists in this now established, interwoven ecosystem of native and non-native plants. Sweet Springs East Preserve could be designated as an living historical site of natives and non-native plants, keeping this wilderness haven not only for the survival of nature, but for those who use this wonderful preserve as a fountain of peace. By just following the letter of the law we may miss what we need most: guidelines based on how nature is dependent upon a particular location for survival today. We have already replaced expansive veldt grass with many native plants. These native plants need to grow in order to supplement what is already established under the trees and what is now provided by the expansive habitat in the upper area of the trees. Nature is complex and ever evolving; and when we create, we also destroy. Caution is needed because, in the final analysis, we really do not know what the real outcome will be, which lifeforms will survive in our changing world.

Thank you for considering my thoughts,

Marie Smith

Marie Smith, Los Osos 31 year resident

AGENDA ITEM: 4
DATE: 3/15/13

March 13, 2013

DO NOT REMOVE FROM FILE

Kerry Brown

Dear Ms Brown,

I am very concerned about the future of our Sweet Springs Preserve East and Central.

Although this meeting is about Sweet Springs East, I feel it is important to share my feelings about this project because actually, although maybe it is not stated, Audubon is working on both parts of this habitat and have been for quite some time.

There is so much undergrowth and small trees being removed from the central part that it is now looking like a neighborhood garden that is tended to by a weekly gardner. It has been sifted, raked and tended to so that anything that has been habitat for this area cannot exist anymore. There is no home left for the critters and any vegetation. It's very different and no longer can be called a preserve, but a garden with some tall Eucalyptus trees that I am worried can be taken at any time. The trees that have not been cut down are so manicured and appear more man created than ever. Its very important to keep the Monarch trees not only for beauty but for shade and for habitat for our Monarch Butterflies.

A great example of what habitat at the Central part of Sweet Springs use to be like can be seen at the Pismo Beach Monarch Butterfly Preserve: there, all the habitat has been left undisturbed and it has such a wonderful natural feeling. The preserve itself is amazing, The Monarch Butterflies are abundant. You can even see them driving by in the car. It has such a peaceful feeling so many people come from all over, enjoying it, taking pictures and

just learning all about the area. You would have to be there to see it. The Monarch Butterflies are becoming endangered. Our recent news articles have stated this.

It is also very important that Sweet Springs East, and Sweet Springs Central look differently. I understand Audubon's anxiousness to create a beautiful natural botanical garden with native plants and also. It's also very important to keep all the Monarch Butterfly and high canopy trees at the same time. It's great that they are creating places so people with disabilities can enjoy the east side, and also important to know that one of the disabilities they may want to review are people that need shade due to sun sensitivity or cancer.

Thank you for your consideration,

Very Sincerely,

Mr and Mrs Baker
240 Travis Drive
Los Osos, Calif 93402

Attachment 5
Sweet Springs Expansion Project

Background

The Trust for Public Lands (TPL) negotiated the purchase of 8 acres of undeveloped land adjacent to the Sweet Springs Preserve in Los Osos in July 2008. The property was purchased for \$2 million dollars. The purchase was funded by the State Coastal Conservancy (SCC), California Wildlife Conservation Board (WCB) and the United States Fish & Wildlife Service (USFWS). At the close of escrow, the title for the property was transferred to Morro Coast Audubon Society (MCAS) along with a number of binding deed restrictions. The deed stipulates that the property may only be used "... for the purpose of natural resource protection, preservation, restoration and management of wildlife habitat and sensitive biological resources, wildlife oriented education and research, open space protection and compatible public access".

Current Status

Morro Coast Audubon conducted a number of surveys of cultural and biological resources on the property to inform decisions concerning the future management of the property. The surveys identified a wealth of cultural and biological resources. An archeological survey indicated the site has a long history of usage by the Native American Chumash tribes. Suitable habitat conditions for 17 special status plant species exist onsite, three of which have been directly observed: Blochman's leafy daisy (*Erigeron blochmaniae*), Sand almond (*prunus asculuate* var. *punctata*); California sea blite (*Suaeda californica*). There are also suitable habitat conditions for 13 special status wildlife species onsite. A number of these species have been directly observed including the federally endangered Morro Shoulderband Snail (*Helminthoglypta walkeriana*), Cooper's Hawk (*Accipiter cooperii*), Silvery legless lizard (*Anniella pulchra*) and Morro blue butterfly (*Plebejus icarioides 'moroensis'*).

With this information in hand, MCAS developed a plan for the property which would provide access to the public while protecting the sensitive resources found at the site. The plan was submitted to the County of San Luis Obispo for permit review on September 2, 2011. The review process is currently underway, with the plan having been distributed to concerned citizens, agencies and organizations for comment.

Public Access Plans

- Pedestrian entrance at the corner of 4th Street & Ramona following old road
 - ♦ Bike rack
 - ♦ Service gate
- Pedestrian entrance from existing Sweet Springs Preserve south east of large pond
- Pedestrian & wheelchair entrance at the eastern end of the sidewalk on Ramona
 - ♦ Wheel chair landing (8 x 12 feet)
 - ♦ Wood, raised boardwalk (5 feet wide x 80 feet long)
- ADA compliant granite trail and raised boardwalk leading to overlook
- Minimum of 3 benches for resting approximately half way along trail
- Large, wood viewing platform (16 x 24 feet) overlooking the estuary
 - ♦ Built-in benches
 - ♦ Binocular rests
- 3 large interpretive signs and 8-16 small interpretive signs
- Community kiosk and Storage shed (10 x10)

PLANNING DEPARTMENT HEARINGS
AGENDA ITEM: 4
DATE: 3/15/13
DO NOT REMOVE FROM FILE

Restoration Plans

- Removal of approximately 3.5 acres of non-native plants including veldt grass, ice plant, mustard, wild radish, fennel, African daisy, English ivy and more.
- Reestablish cleared areas with native forbs, shrubs and trees using a combination of broadcast seeding & planting 1 gallon containers.
- Replant with plants favored by wildlife, such as coast live oak, silver dune lupine, mock heather, black sage & milkweed in coastal dune scrub areas and willows, dogwood, toyon & sedges in upland borders.
- Reintroduce rare plants that have been lost on the preserve, such as yerba mansa & San Luis Obispo monardella, as well as encourage rare plants such as Blochman's leafy daisy & sand almond.
- Conduct thorough wildlife surveys to determine if eucalyptus trees harbor wildlife such as monarch butterflies, raptors or bats; Designate trees as protected habitat.
- Gradual removal of up to 120 eucalyptus trees (if not used by wildlife) over 10 years with replacement plantings at 3:1 ratio of native trees including coast live oaks, sycamores, willows & wax myrtle.
- Remove all eucalyptus and cypress seedlings annually.

For more information on this project please visit: <http://www.morrocoastaudubon.org/ess.php>